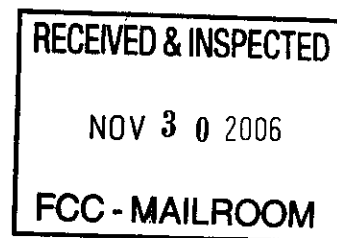


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Region One Education Service Center
1900 West Schunior
Edinburg, TX 78541
(956) 984-6055
(956) 984-6059 (Fax)
E-mail: movalle@esconett.org

Fax

RECEIVED & INSPECTED

NOV 30 2006

FCC - MAILROOM

To: Appeal of a USAC Decision

From: Maria Elena Ovalle

CC Docket No. 02-6

Fax: 202-418-0187

Pages : 9

Phone:

Date: 11/30/2006

Re: FRN 1294291

CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply

• **Comments:**



RECEIVED & INSPECTED

NOV 30 2006

FCC - MAILROOM

November 30, 2006

Letter of Appeal of a USAC Decision
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325

CC Docket No. 02-6

Contact Information:

Contact Name: Maria Elena Ovalle
Address: Education Service Center – Region One
1900 West Schunior
Edinburg, TX 78541
Telephone: (956) 984-6055
Fax: (956) 984-6059
Email: movalle@esconett.org

To whom it may concern:

This is a letter of appeal of a USAC decision for Funding Year 2005 for FRN 1294291 listed in the Funding Commitment Decision Letter dated May 18, 2006. The appeal is on behalf of:

Billed Entity Name: Education Service Center – Region One
Billed Entity Number: 141644
471 Application Number: 448041
Funding Request Number: 1294291

Explanation of appeal:

In the Administrator's Decision on Appeal – Funding Year 2005-2006 dated October 25, 2006, USAC denied an appeal for FRN 1294291.

A copy of the Decision on the Appeal letter is included as part of the packet.

Following is our justification for the appeal. Quoting from the decision letter, "....Although you indicated in the email that you were missing a bill from the business office, you clearly requested to have the amount changed to reflect the actual amount of the bills. The actual amount of the bills was \$7,659.48/month."

Our response: We sent the PIA reviewer a spreadsheet with the actual amounts of the phone bills we had received at our office to date. All the bills for the months of July and August were included. In a telephone conversation with the PIA reviewer, Robin Grestorex, we asked her to take the information from July and August to determine the actual costs for the year. In the email regarding the actual costs from the bills, we were referring to the actual amounts of the bills as reflected on the spreadsheet and as discussed in the phone conversation.

Here is the quote from the email dated February 21, 2006 to the PIA reviewer. "Attached is a spreadsheet of the actual charges to date of the different account for telecommunications services for Year 2005 (Year 8). Some of the totals are missing because I haven't received copies of the bill from our business office, but you can determine costs from the amounts on the spreadsheet." [meaning, the PIA reviewer should fill in the missing amounts based on the information provided. Nowhere in the email does it say that any services had been terminated or lines cancelled and should be removed.]

USAC indicated the actual amount of the bills was \$7,659.58/month. I am sending a copy of the spreadsheet that was sent to USAC during the PIA review. For the month of July, 2005, the actual amount of the bills was \$12,885.05 and for August, 2005, the amount was \$13,273.40.

In addition, again quoting from the explanation of the appeal denial, "Appeal guidelines posted on the USAC website state that the new documentation cannot be accepted on appeal unless the applicant has not had an opportunity to present such information during the initial review period. In this case, you were contacted with an opportunity to provide additional bills and you authorized the reduction of the FRN to match the bills already provided. "

Our response: In a telephone conversation, the PIA reviewer said the spreadsheet was sufficient documentation. We did authorize the reduction of the FRN to match the bills, but we meant to match the bills once the missing amounts were filled in by the reviewer as we had requested in the email and as had been discussed in a telephone conversation. The original request for FRN 1294291 was \$169,128.00 and we understood that the reviewer meant that authorization was needed to reduce the amount from \$169,128.00 to \$156,665.53, not to the amount on the spreadsheet, which only partially reflected actual costs.

We are including copies of the original email and spreadsheet sent on February 21, 2006 and the revised spreadsheet with actual costs, the letter of appeal and documentation, and the Administrator's Decision on Appeal dated October 25, 2006.

The original request for FRN 1294291 was \$169,128.00. This appeal is to request \$156,665.53, which is the total of the actual costs that will be incurred during funding Year 2005.

Please contact me if you need additional information. Thank you for your consideration.

Respectfully,



Jack Damron
Executive Director
Education Service Center – Region One

unless the applicant has not had an opportunity to present such information during the initial review period. In this case, you were contacted with an opportunity to provide additional bills and you authorized the reduction of the FRN to match the bills already provided. Consequently, the appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

**Letter of Appeal**

Schools and Libraries Division - Correspondence Unit
100 South Jefferson Road
P.O. Box 902
Whippany, New Jersey 07981

Contact Information:

Contact Name: Maria Elena Ovalle
Address: Education Service Center - Region One
1900 West Schunior
Edinburg, TX 78541
Telephone: (956) 984-6055
Fax: (956) 984-6059
Email: movalls@esconett.org

To whom it may concern:

This is a **letter of appeal** for Funding Year 2005 for FRN 1294291 listed in the Funding Commitment Decision Letter dated May 18, 2006. The appeal is on behalf of:

Billed Entity Name: Education Service Center - Region One
Billed Entity Number: 141644
471 Application Number: 448041
Funding Request Number: 1294291

Explanation of appeal:

On February 21, 2006, a PIA reviewer requested documentation for telecommunications costs for data lines. The documentation was emailed to PIA TEAM 4, reviewer Robin Greator. A spreadsheet with actual costs was sent with the explanation that some of the costs were missing because we had not received copies of all the telecommunications bills from the business office. The costs for March through June, 2006 were also not included because the spreadsheet was sent in February, before we received bills for March through June. The email indicated that the final costs could be determined from the amounts on the spreadsheet, assuming that the reviewers would use the data provided to determine costs for the missing amounts and months. Only the actual amount on the spreadsheet was funded, although the spreadsheet sent on February 21 was incomplete and an explanation that it was incomplete was provided in the email.

Enclosed you will find the original email and spreadsheet sent on February 21, 2006 and the revised spreadsheet with actual costs to date and estimated costs for May and June, 2006. FRN 1294291 was funded for the pre-discount amount of \$91,913.76 and funding commitment decision of \$79,984.97. The actual pre-discount amount is \$156,665.53 as shown on the spreadsheet with actual costs.

The original request for FRN 1294291 was \$169,128.00. This appeal is to request \$156,665.53, which is the total of the actual costs that will be incurred during funding Year 2005.

Sincerely,

Sylvia R. Hatton, PhD
Executive Director

Southwestern Bell Data Lines

ACCT. #	956-984-1420	956-318-1570	512 143-9252	512 153-9035	512 143-9237	512-143-9238	512 143-9384	
Month				240-2		420-6 DS3		
July, 2005	\$574.20	\$520.82	\$1,826.57	\$6,885.33	\$760.00	\$2,106.00	\$212.13	
Aug. 2005	\$956.25	\$527.12	\$1,826.57	\$6,885.33	\$760.00	\$2,106.00	\$212.13	
Sept. 2005	\$956.25	\$520.00	\$2,051.20	\$6,885.33	\$760.00	\$2,106.00	\$212.13	
Oct. 2005	\$956.25	\$520.94	\$1,620.00	\$6,885.33	\$760.00	\$2,106.00	\$212.13	
Nov. 2005	\$958.82	\$522.19	\$1,620.00	\$6,885.33	\$760.00	\$2,106.00	\$212.13	
Dec. 2005	\$961.07	\$548.93	\$1,620.00	\$6,885.33	\$760.00	\$2,106.00	\$210.00	
Jan. 2006	\$955.85	\$539.78	\$1,620.00	\$6,885.33	\$760.00	\$2,106.00	\$210.00	
Feb. 2006	\$960.67	\$536.87	\$1,620.00	\$6,885.33	\$760.00	\$2,281.00	\$210.00	
Mar. 2006	\$960.67	\$545.85	\$1,620.00	\$6,885.33	\$760.00	\$2,076.00	\$212.13	
Apr. 2006	\$962.11	\$553.76	\$1,580.00	\$6,885.33	\$760.00	\$1,901.00	\$212.13	
May, 2006	\$962.11	\$553.76	\$1,405.00	\$6,885.33	\$760.00	\$1,901.00	\$213.09	(some estimates)
June, 2006	\$962.11	\$553.76	\$1,500.00	\$6,885.33	\$760.00	\$2,000.00	\$213.09	(estimates)
	\$11,126.36	\$6,443.78	\$19,909.34	\$82,623.96	\$9,120.00	\$24,901.00	\$2,541.09	\$156,665.53

Maria Elena Ovalle

From: Maria Elena Ovalle
Sent: Tuesday, February 21, 2006 2:28 PM
To: 'rgreato@sl.universalservice.org'
Subject: Application Number 448041 - Telecommunications
Attachments: Telecommunications-PIAReview02.06.xls



Telecommunications
-PIAReview02...

Robin,

Attached is a spreadsheet of the actual charges to date of the different account for telecommunications services for Year 2005 (Year 8). Some of the totals are missing because I haven't received copies of the bill from our business office, but you can determine costs from the amounts on the spreadsheet.

Please note the four tabs on the bottom of the spreadsheet for the different accounts. (SBD Data Lines, SBC Long Distance-T1's, SBC Long Distance Voice, and SBC Voice)

You may change the amounts on application number 448041 to reflect the actual bill amounts.

Please let me know if you need further information.

Sincerely,
Maria Elena Ovalle
Coordinator, Technology Integration
Region One ESC
(956) 984-6055
movalle@esconett.org